

### REMARKS

Claims 1-4, 6-32 and 34-78 are pending in the present application. Applicants have amended Claims 1, 2, 6, 7, 12, 14, 15, 21, 29, 30, 34-38, 40, 42, 43, 56-58, 63, 66, 67 and 72, and cancelled Claims 5 and 33, herewith. Reconsideration of the pending claims is respectfully requested.

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

Applicants would initially like to thank the Examiner for taking the time to conduct a telephonic interview on 03/23/2004. While no agreement was reached, Applicants' attorney pointed out particular key features of the present invention - and their interplay amongst one another - including a wireless communication device having bidirectional communication capability, an electronic locking device receiving two types of keys, and sending of secondary keys to both the wireless communication device and the electronic locking device.

#### I. 35 U.S.C. § 102, Anticipation

A. The Examiner rejected Claims 29, 33, 36, 37, 41-43 and 46-50 under 35 U.S.C. § 102(c) as being anticipated by Waggamon et al. U.S. Patent 6,049,289. This rejection is respectfully traversed.

With respect to Claim 29, Applicants have amended such claim to include the features originally recited in Claim 33 (which is thus being cancelled herewith. As amended, Claim 29 recites:

An apparatus for operating an electronic locking device using a wireless communication device, comprising:

means for receiving a master key code from a master key supplier;

means for generating a secondary key code from the master key code;

first means for transmitting the secondary key code to the wireless communication device, wherein the secondary key code is used by the

wireless communication device to operate the electronic locking device in lieu of by a tangible device; and

second means for transmitting the secondary key code to the electronic locking device using at least one of a wired communication link and wireless communication link.

As can be seen, this claim recites both a wireless communication device and an electronic locking device. A secondary key code, generated from a master key code received from a master key supplier, is transmitted to the wireless communication device and used by the wireless communication device to operate the electronic locking device. In addition, amended Claim 29 recites a "second means for transmitting the secondary key code to the electronic locking device using at least one of a wired communication link and wireless communication link". In rejecting Claim 33 (which originally recited this claimed feature), the Examiner generally cites Waggamon Figure 1 as teaching a means for transmitting the secondary code by a wireless communication link, but provides no specificity as to what part of Figure 1 reads on the claimed element recited in Claim 33. Applicants show that amended Claim 29 (which now includes the features of originally filed Claim 33) recites two means for transmitting. The first means for transmitting transmits the secondary key code to the wireless communication device, and the second means for transmitting transmits the secondary key code to the electronic locking device. Thus, Claim 29 recites transmitting the secondary key code to both the wireless communication device AND the electronic locking device. This is shown in Applicants' preferred embodiment at Figure 1, elements 114 (wireless device) and 116 (electronic locking device), Figure 6 reference number 630 (transmit key code to wireless device), and Figure 5B reference number 565 (transmit key code to electronic locking device). Applicants show that the cited Waggamon passage (Figure 1) only teaches transmission of a code to a single receiver device 42 (Waggamon Col. 4, lines 3-6). For a prior art reference to anticipate in terms of 35 U.S.C. 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) (emphasis added by Applicants). As every element (a first means for transmitting to a wireless communication device AND a second means for

transmitting to an electronic locking device) is not identically shown in the cited Waggamon reference, Applicants show that Claim 29 is not anticipated by the cited reference.

With respect to Claim 36, Applicants initially traverse for reasons given above regarding Claim 29 (of which Claim 36 depends upon). Applicants further traverse the rejection of Claim 36 by showing an improper accounting for the claimed wireless communication device. In rejecting Claim 29, the Examiner states that Waggamon's element 42 reads on the claimed wireless communication device, and yet in rejecting Claim 36 the Examiner states that Waggamon's element 40 reads on the claimed wireless communication. Since Claim 36 depends upon Claim 29, and thus includes all the claimed features of Claim 29 in addition to the features recited in Claim 36, it is shown to be improper to change to interpretation of the teachings of Waggamon when analyzing Claims 29 and 36. If Waggamon's element 42 is alleged to read on the claimed wireless communication device when rejecting Claim 29, it is improper to change this position when analyzing Claim 36 and say that instead, Waggamon's element 40 reads on the claimed wireless communication device. Thus, Claim 36 is shown to have been erroneously rejected under 35 U.S.C. § 102(e).

With respect to Claim 37, Applicants traverse for reasons given above regarding Claim 29 (of which Claim 37 depends upon).

With respect to Claim 41, Applicants initially traverse for reasons given above regarding Claim 29 (of which Claim 41 depends upon). Applicants further traverse by showing that the cited reference does not teach the claimed feature of "wherein the electronic locking device is preprogrammed to accept the secondary key code". In rejecting Claim 41, the Examiner states that Waggamon teaches this at Col. 6, lines 41-44. Applicants show that there, Waggamon states:

"During the learn mode, the receiver 42 intercepts the thirty-two bit hopping code and the twenty-four bit serial number from the transmitter 40. The twenty-four bit serial number (received from the transmitter) and the sixty-four bit manufacturer's key (stored in the receiver at the factory) are then used to independently generate a sixty-

four bit "secret key" that is identical to the sixty-four bit "secret key" of the particular transmitter."

As can be seen, this passage states that a hopping code and serial number are intercepted by the receiver, which then generates a secret key. The Examiner has previously stated, in rejected Claim 29, the Waggamon's secret key reads on the claimed "secondary key code". Applicants show Waggamon's receiver is not preprogrammed to accept the secret key. Rather, Waggamon teaches that the secret key is independently generated within the receiver, and thus does not accept the secret key, as claimed. Thus, Claim 41 is further shown to have been erroneously rejected under 35 U.S.C. § 102(e).

With respect to Claim 42, Applicants have merely amended such claim to be in independent form, but have not substantively amended such claim. Thus, the amendment to Claim 42 is merely as to form, and not for purposes of patentability. As to the rejection of Claim 42, Applicants traverse such rejection by showing that such claim recites "wherein the second means for transmitting the secondary key code to the electronic locking device performs the transmission at a remote time from transmitting the secondary key code to the wireless communication device." As can be seen, this claim recites a second means for transmitting the secondary key code, such code being transmitted to both an electronic locking device and a wireless communication device, and the transmitting to the electronic device is done at a remote time from transmitting to the wireless communication device.

In rejecting Claim 42, the Examiner states that Waggamon's wireless communication device transmits the secondary code to the receiver of the locking device (figure 2) and the key code is decoded and transmitted to the drive mechanism (64) of the lock of the garage door at a different time than when the secondary code was transmitted to the receiver. Applicants show that even assuming this assertion is true, it does not teach what is being claimed in Claim 42. Claim 42 recites that a single functional element ("second means for transmitting") transmits the same thing ("secondary key code") to two different functional elements ("electronic locking device" and "wireless communication device. Per the Examiner's assertion, two functional elements are used for transmitting ("wireless communication device transmits the secondary code to the

receiver”; receiver decodes and transmits the results of a decoding operation to lock drive mechanism). That is the first difference – the claim uses a single functional element to perform two transmits whereas the cited reference uses two elements to transmit in a daisy-chain fashion (the first item transmits to the second item, which then transmits to a third item).

Further, Claim 42 recites that the same thing (“secondary key code”) gets transmitted to both the wireless communication device AND the electronic locking device. What gets transmitted between Waggamon’s transmitter (40) and receiver (42) is different from what gets transmitted between Waggamon’s receiver (42) and lock drive mechanism. Specifically, Waggamon transmits a hopping code and serial number from the transmitter to the receiver (Col. 5, lines 50-55; Figure 7a). Neither the hopping code or the serial number are transmitted between the receiver and lock drive mechanism. Rather, the hopping code is decrypted within the receiver, and a series of checks are performed on the decrypted code to determine code validity. If one of the stored secret keys successfully decrypts the received hopping code, the drive mechanism is activated (Waggamon Col. 7, lines 26-56). There is simply no teaching of a second means for transmitting the secondary key code, such code being transmitted to both an electronic locking device and a wireless communication device, and the transmitting to the electronic device is done at a remote time from transmitting to the wireless communication device. Thus, Claim 42 is shown to have been erroneously rejected under 35 U.S.C. § 102(e).

With respect to Claims 43 and 46, Applicants traverse for reasons given above regarding Claim 29 (of which Claims 43 and 46 depend upon).

With respect to Claim 47, Applicants initially traverse for reasons given above regarding Claim 43 (of which Claim 47 ultimately depends upon). Further with respect to Claim 47, Applicants show that this claim recites a key code table that includes an entry for the electronic locking device, and the entry includes (i) one or more of a valid secondary key code, (ii) activation/expiration information, and (iii) wireless communication device identification information. In rejected Claim 47, the Examiner merely alleges that Waggamon teaches “the entry for the locking device includes device identification information (col. 4, lines 58-59)”. Applicants show that Claim 47 recites

that the entry includes the items (i), (ii) and (iii) listed above, and this cited passage does not teach these three items for an electronic locking device entry. Rather, this passage merely states "The inputs to the nonlinear function are (a) the unique twenty-four bit "manufacturer key" and the serial number to generate a unique sixty-four bit "secret key" which is stored in the transmitter. This passage does not teach any type of entry for an electronic locking device, but rather the details of numbers stored in the transmitter (see also Waggamon Figure 3). In addition, there is no teaching of any type of activation/expiration information, as claimed. Thus, Claim 47 is further shown to have missing claimed elements.

With respect to Claim 48, Applicants traverse for reasons given above regarding Claim 29 (of which Claim 48 depends upon).

With respect to Claim 49, Applicants initially traverse for reasons given above regarding Claim 30 (of which Claim 49 depends upon). Further with respect to Claim 49, Applicants show that the cited reference does not teach the claimed feature of "wherein the secondary key code portion and the one or more of a master key code portion, an activation/expiration portion, a wireless communication device identification portion, a time of issue portion, and a time of use portion are encoded". As can be seen, there are several items indicated as being encoded – secondary key portion, master key portion, activation/expiration portion and time of use portion. In rejecting Claim 49, the Examiner states that Waggamon teaches encoding of the secondary code at col. 5, lines 10-12. Applicants show that such assertion does not establish a teaching of encoding all the items recited in Claim 49, as listed above. Thus, Claim 49 is shown to not be anticipated by the cited reference.

With respect to Claim 50, Applicants traverse for reasons given above regarding Claim 29 (of which Claim 50 depends upon).

Therefore, the rejection of Claims 29, 33, 36, 37, 41-43 and 46-50 under 35 U.S.C. § 102(e) has been overcome.

B. The Examiner rejected Claims 56-57, 59, 60-62, 64-66, 68-71 and 73-78 under 35 U.S.C. § 102(e) as being anticipated by Kucharczyk et al. U.S. Patent 6,300,873. This rejection is respectfully traversed.

With respect to Claim 56, Applicants show that the cited reference does not teach the claimed feature of “third instructions for transmitting the secondary key code to the wireless communication device” (emphasis added by Applicants). The Examiner states that Kucharczyk et al. teaches “transmitting the secondary key code to the electronic locking device, wherein the electronic locking device is operated in response to receiving the secondary key (col. 4, lines 38-50)” (emphasis added by Applicants). Applicants show that this assertion does not establish anticipation with respect to Claim 56. Claim 56 recites both an electronic locking device AND a wireless communication device. Of particular noteworthiness is the fact that Claim 56 recites that the secondary code is transmitted to the wireless communication device, whereas the Examiner’s assertion regarding the teaching of the cited reference is that the secondary code is transmitted to the electronic locking device. Thus, even assuming arguendo that the Examiner’s assertion is true, such assertion does not establish a teaching of the claimed element of “third instructions for transmitting the secondary key code to the wireless communication device, wherein the secondary key code is used by the wireless communication device to operate the electronic locking device”. Applicants have amended Claim 56 in order to further clarify this distinction. This claimed feature advantageously allows for transmitting the key to the wireless communication device such that it can subsequently be used by the wireless communication device to operate the electronic locking device. The cited reference does not teach such an intervening device (wireless communication device) that a key code is transmitted to. Thus, Claim 56 is shown to have been erroneously rejected under 35 U.S.C. § 102(e).

With respect to Claim 57, Applicants show that the cited reference does not teach both receiving and transmitting of a secondary key code, as claimed. As to the claimed step of receiving the secondary key code, the Examiner cites Kucharczyk et al. col. 5, lines 14-15. This passage states “A bar code entry unit is positioned on storage device 10 (e.g., in place of or in addition to access code entry unit 16) and is configured to pass the access code information included in the modulated laser beam to a computer/controller unit of the access code entry unit”. It thus appears that the phrase “to pass the access code information included in the modulated laser beam to a computer/controller unit of the access code entry unit” is being interpreted to read on the claimed “receiving the

secondary key code". However, as can be seen, since this access code has now been passed to the access code entry unit, there is no need for further transmission of such code (it has already fulfilled its purpose by being passed to the access code entry unit). So, there is no teaching of transmitting this secondary code, as claimed. The passage cited by the Examiner (Kucharczyk et al. col. 4, lines 38-50) merely teaches an alternate method of getting an access code into the access code entry unit. There is no teaching of both receiving AND transmitting an access code in cooperative fashion as recited in Claim 57. In any event, Applicants have amended Claim 57 to further emphasize this cooperative interplay. Therefore, Claim 57 is shown to not be anticipated by the cited reference.

Applicants traverse the rejection of dependent Claims 59-62, 64 and 65 for reasons given above regarding Claim 57 (of which Claims 59-62, 64 and 65 depend upon).

Applicants traverse the rejection of Claim 66 (and dependent Claims 68-71 and 73-75) for similar reasons to those given above regarding Claim 57.

Applicants traverse the rejection of Claim 76 (and similarly for Claims 77 and 78) by showing that the cited reference does not teach the claimed steps of (i) "receiving, from a key supplier, a secondary key code for operating the electronic locking device, the secondary key code having been generated based on a master key code"; (ii) "receiving a key code from the wireless communication device"; (iii) "authenticating the key code using the secondary key code"; and (iv) "operating the electronic locking device if the key code is authenticated". In rejecting Claim 76, the Examiner states that the cited reference teaches three steps of "requesting a secondary key code...", "receiving the secondary key code...", and "transmitting the secondary key code". However, Applicants show that Claim 76 recites four steps, including a step of authenticating the key code using the secondary key code. The Examiner has not alleged, and the cited reference does not teach, such authentication step. Specifically, the cited reference does not teach receiving of two different codes (a secondary key code and a key code) from two different sources (a key supplier and a wireless communication device), and authenticating one of the codes (the key code) using the other code (the secondary key code). Thus, Claim 76 (and similarly for Claims 77 and 78) is shown to have been



erroneously rejected as every element of the claimed invention is not shown in a single reference.

Therefore, the rejection of Claims 56-57, 59, 60-62, 64-66, 68-71 and 73-78 under 35 U.S.C. § 102(e) has been overcome.

## **II. 35 U.S.C. § 103, Obviousness**

A. The Examiner rejected Claims 1, 5, 8-11, 13-15, 18, 20 and 22-25 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,570,488 in view of Bruwer U.S. Patent 6,166,650. This rejection is respectfully traversed.

Applicants have amended Claim 1 to include substantial portions of Claim 5 (which is thus being cancelled herewith). Per amended Claim 1, Applicants show that none of the cited references teach or suggest transmitting a secondary key code to both a wireless communication device and an electronic locking device. In rejecting Claim 5, the Examiner cites Kucharczyk et al. col. 12, lines 50-51 as teaching an electronic locking device using a wireless or wired communication link. Applicants show that originally filed Claim 5 (the features of which are now substantially included in amended Claim 1) goes beyond such assertion, and recites a feature of transmitting the secondary key code to the electronic locking device. This is in addition to also reciting the claimed feature of transmitting the secondary key code to the wireless communication device. Thus, as can be seen, amended Claim 1 recites that the same key code (secondary key code) is transmitted to both the wireless communication device and the electronic locking device. While the cited Bruwer reference does appear to teach a bi-directional encoder capable of receiving an external input value (Bruwer Col. 8, lines 23-41), this external input value is encoded by the encoder and this encoded value is what gets sent to the decoder. Thus, what gets input to the encoder is different than what gets sent to the decoder. In other words, what is sent to Bruwer's encoder is different from what is sent to Bruwer's decoder. This is in contrast to what is recited in amended Claim 1, where the same key code (secondary key code) is transmitted to both the wireless communication device and the electronic locking device. Nor does the cited Kucharczyk et al. reference does not overcome this deficiency. Thus, it is shown that amended Claim 1 is not obvious in view of the cited references as there is at least one claimed element not taught

or suggested by the cited references. To establish prima facie obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. MPEP 2143.03. *See also, In re Royka*, 490 F.2d 580 (C.C.P.A. 1974).

With respect to Claims 8-11, 13 and 14, Applicants traverse for reasons given above regarding Claim 1 (of which Claims 8-11, 13 and 14 depend upon).

With respect to Claim 15, Applicants have merely amended such claim to be in independent form, but have not substantively amended such claim. Thus, the amendment to Claim 15 is merely as to form, and not for purposes of patentability. As to the rejection of Claim 15, Applicants show that none of the cited references teach or suggest the claimed feature of receiving a key code from the wireless communication device and authenticating the key code based on the secondary key code. Nor has the Examiner alleged any such teaching or suggestion. Rather, the Examiner merely alleges a teaching of receiving a key code and transmitting a command to operate the locking device if the key code is authentic (Office Action dated 1/02/2004, page 8, first paragraph). Thus, it is shown that the Examiner has failed to establish a prima facie showing of obviousness with respect to Claim 15. In rejecting claims under 35 U.S.C. Section 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. *Id.* "A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 991 F.2d 781, 782, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting *In re Rinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976)). If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). It is thus shown that the rejection of Claim 15 is improper.

Applicants traverse the rejection of Claim 18 for reasons given above regarding Claim 15 (of which Claim 18 depends upon).

With respect to Claims 20, 22 and 23 Applicants traverse for reasons given above regarding Claim 1 (of which Claims 20, 22 and 23 depend upon).

With respect to Claim 24, Applicants traverse for reasons given above regarding Claim 15 (of which Claim 24 depends upon).

With respect to Claim 25, Applicants show that none of the cited references teach or suggest the claimed feature of wherein the master key code is received via at least one network, and wherein the at least one network is the Internet. In rejecting Claim 25, the Examiner cites Kucharczyk et al figure 5 as teaching this claimed feature. While Figure 5 does show an internet connection, Applicants urge that there is no teaching or suggestion of use of such internet connection to receive a master key code, for which a secondary key code is generated from, as claimed in Claim 25 (in combination with Claims 1 and 3, of which Claim 25 depends upon). Thus, a prima facie case of obviousness has not been made with respect to Claim 25.

Therefore, the rejection of Claims 1, 5, 8-11, 13-15, 18, 20 and 22-25 under 35 U.S.C. § 103(a) has been overcome.

B. The Examiner rejected Claims 2, 19 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,570,488 in view of Bruwer U.S. Patent 6,166,650 and further in view of Hyatt, Jr. et al. U.S. Patent 5,745,044. This rejection is respectfully traversed.

With respect to Claim 2, Applicants show that none of the cited references teach a secondary key code (which is transmitted to the electronic locking device) that includes a wireless communication device identification portion (for which the secondary key code is transmitted to). Applicants have amended Claim 2 to further emphasize this claimed feature, which is not taught or suggested by any of the cited references. Therefore, Claim 2 is shown to not be obvious in view of the cited references.

The features of Claim 2 advantageously provide for identification of an authorized wireless communication device for sending the secondary key code. For example, when the secondary key code is transmitted by the wireless communication device, the wireless communication device may also transmit a device identifier that is then compared to the device identifier encoded in the secondary key code. Only if the two identifiers match with the electronic locking device be operated. In this way, third parties that may have copied the secondary key code from the authorized wireless

communication device will not be able to operate the electronic locking device (Specification page 26, line 31 – page 27, line 16).

With respect to Claim 19, Applicants traverse for similar reasons to those given above regarding Claim 15 (of which Claim 19 ultimately depends upon).

With respect to Claim 21, Applicants traverse for similar reasons to those given above regarding Claim 2 (of which Claim 21 depends upon).

Therefore, the rejection of Claims 2, 19 and 21 under 35 U.S.C. § 103(a) has been overcome.

C. The Examiner rejected Claims 3-4 and 26-28 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,570,488 in view of Bruwer U.S. Patent 6,166,650 and further in view of Brinkmeyer et al. U.S. Patent 5,838,251. This rejection is respectfully traversed.

Applicants traverse the rejection of such claims for similar reasons to those given above regarding Claim 1 (of which Claims 3-4 and 26-28 depend upon), and show that none of the cited references teach or suggest “transmitting a secondary key code to both a wireless communication device and an electronic locking device”. Therefore, the rejection of Claims 3-4 and 26-28 under 35 U.S.C. § 103(a) has been overcome.

D. The Examiner rejected Claims 6-7 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,570,488 in view of Bruwer U.S. Patent 6,166,650 and further in view of Gonzales et al. U.S. Patent 5,936,544. Applicants traverse the rejection of such claims for similar reasons to those given above regarding Claim 1 (of which Claims 6 and 7 depend upon), and show that none of the cited references teach or suggest “transmitting a secondary key code to both a wireless communication device and an electronic locking device”. Therefore, the rejection of Claims 6-7 under 35 U.S.C. § 103(a) has been overcome.

E. The Examiner rejected Claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,570,488 in view of Bruwer U.S. Patent 6,166,650 and further in view of Henderson et al. U.S. Patent 4,947,163. Applicants traverse the

rejection of such claim for similar reasons to those given above regarding Claim 1 (of which Claim 12 depends upon), and show that none of the cited references teach or suggest "transmitting a secondary key code to both a wireless communication device and an electronic locking device". Therefore, the rejection of Claim 12 under 35 U.S.C. § 103(a) has been overcome.

F. The Examiner rejected Claims 16-17 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,300,873 in view of Bruwer U.S. Patent 6,166,650 and further in view of Henry et al. U.S. Patent 5,774,059. This rejection is respectfully traversed for similar reasons to those given above regarding Claim 15 (of which Claims 16 and 17 depend upon), and show that none of the cited references teach or suggest the claimed feature of receiving a key code from the wireless communication device and *authenticating the key code based on the secondary key code*. Therefore, the rejection of Claims 16-17 under 35 U.S.C. § 103(a) has been overcome.

G. The Examiner rejected Claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Waggamon et al. U.S. Patent 6,049,289 in view of Hyatt, Jr. et al. U.S. Patent 5,745,044. This rejection is respectfully traversed.

Applicants initially traverse for reasons given above regarding Claim 29, of which Claim 30 depends upon. Applicants further traverse for similar reasons to those given above regarding Claim 2, as claim 30 has been amended in similar fashion to Claim 2. Therefore, the rejection of Claim 30 under 35 U.S.C. § 103(a) has been overcome.

H. The Examiner rejected Claims 31-32 and 54-55 under 35 U.S.C. § 103(a) as being unpatentable over Waggamon et al. U.S. Patent 6,049,289 in view of Hyatt, Jr. et al. U.S. Patent 5,745,044. This rejection is respectfully traversed.

Applicants traverse for reasons given above regarding Claim 29, of which Claims 31-32 and 54-55 depend upon. Therefore, the rejection of Claims 31-32 and 54-55 under 35 U.S.C. § 103(a) has been overcome.

I. The Examiner rejected Claims 34-35 under 35 U.S.C. § 103(a) as being unpatentable over Waggamon et al. U.S. Patent 6,049,289 in view of Gonzales et al. U.S. Patent 5,936,544. This rejection is respectfully traversed.

Applicants traverse for reasons given above regarding Claim 29, of which Claims 34-35 depend upon. Therefore, the rejection of Claims 34-35 under 35 U.S.C. § 103(a) has been overcome.

J. The Examiner rejected Claims 38-39 and 51-53 under 35 U.S.C. § 103(a) as being unpatentable over Waggamon et al. U.S. Patent 6,049,289 in view of Kucharczyk et al. U.S. Patent 6,300,873. This rejection is respectfully traversed.

Applicants traverse for reasons given above regarding Claim 29, of which Claims 38-39 and 51-53 depend upon. Therefore, the rejection of Claims 38-39 and 51-53 under 35 U.S.C. § 103(a) has been overcome.

K. The Examiner rejected Claim 40 under 35 U.S.C. § 103(a) as being unpatentable over Waggamon et al. U.S. Patent 6,049,289 in view of Henderson et al. U.S. Patent 4,947,163. This rejection is respectfully traversed.

Applicants traverse for reasons given above regarding Claim 29, of which Claim 40 depends upon. Therefore, the rejection of Claim 40 under 35 U.S.C. § 103(a) has been overcome.

L. The Examiner rejected Claims 44-45 under 35 U.S.C. § 103(a) as being unpatentable over Waggamon et al. U.S. Patent 6,049,289 in view of Henry et al. U.S. Patent 5,774,059. This rejection is respectfully traversed.

Applicants traverse for reasons given above regarding Claim 29, of which Claims 44-45 depend upon. Therefore, the rejection of Claims 44-45 under 35 U.S.C. § 103(a) has been overcome.

M. The Examiner rejected Claim 58 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,300,873 in view of Bruwer U.S. Patent 6,166,650

and further in view of Hyatt Jr. et al. U.S. Patent 5,745,044. This rejection is respectfully traversed.

Applicants initially traverse the rejection of Claim 58 for similar reasons to those given above regarding Claim 57 (of which Claim 58 depends upon). Applicants further traverse the rejection of Claim 58 for similar reasons to those given above regarding Claim 2, as Claim 58 has been amended in similar fashion to Claim 2. Therefore, the rejection of Claim 58 under 35 U.S.C. § 103(a) has been overcome.

N. The Examiner rejected Claims 63, 67 and 72 under 35 U.S.C. § 103(a) as being unpatentable over Kucharczyk et al. U.S. Patent 6,300,873 in view of Bruwer U.S. Patent 6,166,650 and further in view of Hyatt Jr. et al. U.S. Patent 5,745,044. This rejection is respectfully traversed.

With respect to Claim 63, Applicants traverse for reasons given above regarding Claim 58 (of which Claim 63 depends upon).

With respect to Claim 67, Applicants initially traverse for reasons given above regarding Claim 66 (of which Claim 67 depends upon). Applicants further traverse the rejection of Claim 67 by showing that none of the cited references teach or suggest a secondary key code that includes a secondary key code portion and at least a portion of the master key code of which the generation of the secondary key code was based upon. Thus, Claim 67 is further shown to not be obvious in view of the cited references.

With respect to Claim 72, Applicants traverse for reasons given above regarding Claim 67 (of which Claim 72 depends upon).

Therefore, the rejection of Claims 63, 67 and 72 under 35 U.S.C. § 103(a) has been overcome.

**III. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 3/24/04

Respectfully submitted,



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